

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

**CASE NO. 3:06-cr-154
3:09-cv-008**

-VS-

**District Judge Timothy S. Black
Magistrate Judge Michael J. Newman**

THOMAS L. McCAULEY,

Defendant.

JUDGMENT IN A CIVIL CASE

☐ **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

☒ **Decision by Court:** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered,

IT IS ORDERED AND ADJUDGED: that the Report and Recommendations of the Magistrate Judge (Doc. 107 in 3:06-cr-154) is **ADOPTED**; that the Defendant's Motion to Vacate (Doc. 88) is **DENIED**; any requested certificate of appealability or leave to file in forma pauperis is **DENIED**; and these case are **TERMINATED**.

Date: September 13, 2011

JAMES BONINI, CLERK

By: s/ M. Rogers
Deputy Clerk